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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,597	11/27/2001	Joel Tague	10017323-1	8702

7590 10/05/2004
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/993,597

Applicant(s)

JOEL TAGUE

Examiner

LeChi Truong

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 are presented for the examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack proper antecedent basis:

The first device – claims 17 and 18.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-13, 15-17, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christopher et al (US. 5,402,528).

4. As to claim 1, Christopher teaches the invention substantially as claimed including: the device (the printer, col 1, ln 45-46), having at least a first feature (the optional features or

Art Unit: 2126

operations of the printer, col 1, ln 45-46/col 5, ln 53-55), exhibiting at least a first mode (disabled, col 1, ln 48-50/col 6, ln 53-55), a second mode (enable, col 1, ln 48-50/col 6, ln 53-55), in the first mode, the functionality of the first feature is disabled (col 1, ln 48-51), in the second mode, the functionality of the second feature is enabled(col 1, ln 48-51), the method comprising:

collecting information regarding the intended use of the first feature by a user(col 1, ln 55-59),

If the collected information indicates that the user intends to use the first feature(abstract lines 18-21), providing information that corresponds to the device (col 7, ln 32-35) such as the device exhibits the second mode of operating thereby enabling the functionality of the first feature(col 7, ln 35-41/col 8, ln 62-66/col 9, ln 30-34, ln 20-25 and ln 24-29/col 13, ln 41-46).

5. Christopher does not explicit teach that the method is for tracking features of a device. However, Christopher disclosed that his system will check and monitor if needed features of a device had been stored at the proper locations(abstract lines 18-22, col 9, ln 35-43/ Fig. 10) .

6. It would have been obvious to one of the ordinary skill in the art at the time the invention was made that in fact Christopher's system can track the features of the device and if necessary download the needed features for the device(abstract).

7. **As to claim 3**, Christopher teaches sending an instruction to the device (col 7, ln 32-36 and ln 38-41), the instruction being configured to switch the mode of the first feature from the second mode (col 1, ln 63-67/col 7, ln 7 and ln 35- 41).

Art Unit: 2126

8. **As to claim 4**, Christopher teaches switch the mode of the first feature without switching modes of other features (col 2, ln 2-5).
9. **As to claim 5**, Christopher teaches establishing a communication link; and receiving the information via the communication link (col 7, ln 32-36).
10. **As to claim 6**, Christopher teaches the communication link is established by the device (col 7, ln 34-35).
11. **As to claim 7**, Christopher teaches the communication link is established by a second device (col 7, ln 32-33/ col 11, ln 9-15).
12. **As to claim 8**, Christopher teaches a printer (col 1, ln 56-57).
13. **As to claim 9**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.
14. **As to claim 10**, Christopher teaches receiving the information regarding the intended use of the first feature (col 9, ln 20-25 and ln 24-29), collecting the information received (col 9, ln 25-29), sending information that corresponds to the device such that the device exhibits the second mode of operation of the first feature (col 1, ln 63-58/col 7, ln 38-41), the collected information indicated that the user intends to use the first feature, thereby enabling the functionality of the first feature(col 9, ln 27-29 and ln 30-34).
15. **As to claim 11**, Christopher teaches analyzing the collected information (col 9, ln 24-28).
16. **As to claim 12**, it is an apparatus claim of claim 8; therefore, it is rejected for the same reason as claim 8 above.
17. **As to claim 13**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Christopher teaches logic corresponding to at least the

Art Unit: 2126

first feature (col 1, ln 39-42), a first nonvolatile memory element containing the programmable logic (col 6, ln 62-66), a second nonvolatile memory element configured to contain information exhibiting the mode in which the first feature is operating (col 7, ln 32-38).

18. As to claims 15 and 16, Christopher teaches the first nonvolatile memory is housed within the device, second nonvolatile memory is housed within the device (col 5, ln 1-5).

19. As to claims 17 and 20, they are apparatus claims of claims 7 and 12; therefore, they are rejected for the same reasons as claims 7 and 12 above.

20. Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christopher et al (US. 5,402,528), as applied to claim 1 above, in view of Claflin et al (US 5,729,668).

21. As to claim 2, Christopher does not teach a compressed state and a decompressed state. However, Claflin teaches a compressed state and a decompressed state (start compression, start decompression, col 7, ln 15-20 and ln 26-30).

22. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Christopher and Claflin because Claflin 's start compression, start decompression would reduce the real time burden of Christopher's system, and therefore improve the speed of the image processor.

23. As to claim 14, it is an apparatus claim of claim 2; therefore, it is rejected for the same reason as claim 2 above.

Art Unit: 2126

24. Claims **18 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Christopher et al (US. 5,402,528), as applied to claim 1 above, in view of APA (Admitted Prior Art).

25. As to **claim 18**, Christopher does not teach the first memory element is housed within the second device. However, APA teaches the first memory element is housed within the second device (a read only memory (ROM) integrated circuit device that is included within the PC, page 1, ln 25-26).

26. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Christopher and APA because APA's first memory element that is housed within the second device would ensures that the BIOS is available for both the first and second devices.

27. As to **claim 19**, it is an apparatus claim of claim 18; therefore, it is rejected for the same reason as claim 18 above. In additional, Christopher teaches the second device ... being configured to contain information exhibiting the modes in which the features are operating (col 11, ln 22-26).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.


Art Unit: 2126

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

September 29, 2004


MENG-AI AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100